



the actions of defendant AHF Financial Services, LLC (“AHF”). In its objections, X-Ray generally objects, asserting that the same logic the Magistrate Judge applied to the FDCPA claim should be applied to the TDCA claim. The Magistrate Judge addressed this claim and found that the TDCA definition of debt collector is broader than the definition of debt collector in the FDCPA, which includes anyone that “indirectly engages in debt collection.” X-Ray cites no authority supporting its notion that the TDCA would not allow such a claim. Furthermore, the Magistrate Judge was correct in denying this motion at this stage of the proceedings.

Having received the report of the United States Magistrate Judge, and considering the objections thereto filed by defendant [Doc. #50], this court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge’s report as the findings and conclusions of the court.

It is, therefore, **ORDERED** that Defendant’s X-Ray Associates of New Mexico, P.C.’s Motion for Judgment on the Pleadings [Doc. #30] be granted in part and denied in part. Plaintiff’s FDCPA claim against X-Ray is DISMISSED. All other claims shall remain at this time.

So **ORDERED** and **SIGNED** this **11** day of **November, 2012**.

A handwritten signature in black ink, appearing to read "Ron Clark", is written above a horizontal line.

Ron Clark, United States District Judge